

## **Exhibit 2d**



## FEDERAL BUREAU OF PRISONS m e m o r a n d u m

FCI, McKean, Pennsylvania

DATE: June 15, 2004

REPLY TO  
ATTN OF:

*James F. Sherman*  
James F. Sherman, Warden

SUBJECT: SMOKING/NO SMOKING POLICY

TO: FCI McKean Staff and Inmates

On March 14, 2004, a new program statement 1640.04 (Smoking/No Smoking), was signed with an implementation date of July 15, 2004 for all institutions throughout the Bureau of Prisons. The purpose of the program statement is to protect the health and safety of staff and inmates.

FCI McKean will become a tobacco free institution through a step down process over the next several months and becoming tobacco free in early 2005. Effective July 15, 2004, no smoking will be permitted in any building. Authorized smoking areas will be on the concrete pad located outside of the housing units and the concrete pad between education and health services. These are the only authorized areas for smoking. Beginning September 7, 2004, the quantities of tobacco products sold and allowed in your possession will be reduced by 50 percent of the authorized amounts. On December 13, 2004, commissary will no longer sell tobacco products, giving you an opportunity to use the amount in your possession prior to becoming tobacco free. Effective, January 17, 2005, FCI McKean will be tobacco free.

To provide assistance, Health Services and Psychology Services, along with Recreation will provide smoking cessation classes to include, proper diet, exercise programs, literature and counseling (stress management). You may sign-up for the smoking cessation classes and materials during open house in Psychology on Mondays and Thursdays from 11:30 a.m to 12:30 p.m. Commissary will continue to make available for sale Nicotine Replacement Therapy patches upon a health services prescription to assist with those wishing to stop smoking.